

REMARKS

Reconsideration and withdrawal of the objection and rejection set forth in the above-mentioned Official Action in view of the foregoing amendments and the following remarks are respectfully requested.

Claims 35-44, 46, 47, 50-52 and 55-68 are now pending in the application, with Claims 35, 36, 40, 46, 50 and 56-59 being independent. Claims 34, 45, 48, 49, 53 and 54 have been cancelled without prejudice or disclaimer of the subject matter recited therein. Claims 35-40, 42, 44, 46, 47, 50-52 and 55-58 have been amended and Claims 60-68 have been added herein.

Applicants note with appreciation the indication that Claims 40-44 and 56-59 are allowed. Minor changes have been made to these claims merely to improve their form. For example, instead of reciting that the units “provide” an image or data, these claims now recite that the units “output” image or data. These changes are not believed to affect allowability and have not been made for any reasons related to patentability. Claims 40-44 and 56-59 are believed to remain in condition for allowance. Further, new dependent Claims 61-68 depend from these allowed claims and are also seen to be in condition for allowance. These claims are not believed to raise new issues because they are based on previously-presented dependent claims, e.g., Claims 37 and 39. Favorable consideration is requested.

Applicants also note with appreciation the indication that Claims 35, 36, 46 and 50 recite allowable subject matter. These claims were objected to for being dependent upon rejected base claims. The objected to claims have been rewritten in independent form. Like the allowed claims, minor changes have been made to improve the form of these claims. For example, rather than reciting an image captured by an image pickup element in the preamble (for example, as in cancelled Claim 34), Claim 35 now positively recites an image capture unit adapted to capture an image. Changes similar to those made in the allowed claims with regard to the terms “provide” and “output” have also been made herein. These changes are not believed to affect the allowability of the claims and have not been made for any reasons related to patentability. Accordingly, Claims 35, 36, 46 and 50, as well as Claims 37-39, 47, 51, 52, 55 and 60, which depend therefrom, are also believed to be in condition for allowance.

Claims 34, 37-39, 45, 47-49 and 51-55 were rejected under 35 U.S.C. § 103. Claims 34, 45, 48, 49, 53 and 54 have been cancelled and the other rejected claims are seen to be in condition for allowance for the reasons noted above. The foregoing actions have been taken without prejudice or disclaimer of subject matter, and without conceding correctness of the rejections, but rather strictly to obtain an earlier allowance and to expedite issuance.

This Amendment After Final Rejection is an earnest attempt to advance prosecution and reduce the number of issues, and is believed to clearly place this application in condition for allowance. This Amendment was not earlier presented because Applicants earnestly believed that the prior Amendment placed the subject application in condition for allowance. Accordingly, entry of this Amendment under 37 CFR 1.116 is respectfully requested.

Applicants submit that the present application is in condition for allowance. Favorable reconsideration, withdrawal of the objection and rejection set forth in the above-noted Office Action, and an early Notice of Allowability are requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark A. Williamson", is written over a horizontal line.

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